IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First-Named Inventor: Raymond Grover Docket No.: GB03 0081 US1
Application No.: 10/561,531 Conf.: 9882 Art Unit: To be Assigned

Date Filed: December 19.2005 Examiner: To be Assigned

Title: SEMICONDUCTOR DEVICE HAVING AN EDGE TERMINATION STRUCTURE AND METHOD OF MANUFACTURE THEREOF

PETITION IN RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.181

Sir:

Applicant(s) hereby petition to reverse the Decision on Petition under 37 CFR 1.181, rendered March 16, 2011. The delay in responding was due to error and without deceptive intent on my part.

The decision is in error for the following reasons.

The discussion outlined in the March 16, 2011 decision acknowledged that Applicant had satisfied Items (1) and (3) of the three requirements for granting relief.

With respect to Item (2), Applicant respectfully asserts that the necessary conditions had been met in the March 16, 2011 petition. Applicant had received the official "Auto-Reply Facsimile Transmission" receipt from the USPTO. The total number of pages sent was confirmed by the USPTO. This document alone should have been sufficient to assert that Response to Missing parts was timely received by your office on 31 JULY 2006. Applicant's Representative's knowledge (i.e., reviewing of the USPTO-transmitted receipt and noting the timely response) should have been sufficient "first-hand" knowledge; the USPTO "told" me it had timely received the papers. Per 37 CFR 1.6 (d), "...The receipt date accorded to the correspondence will be the date on which the complete transmission is received in the United States Patent and Trademark Office..."

However, in the interests of moving this matter forward, Applicant has enclosed a "Statement of Fact" executed by Vilimaina Naga on June 16, 2011, attesting to the timely facsimile transmission of the papers in response to the Notice of Missing Parts on July 31, 2006. Ms. Naga had signed the Certificate of Transmission under 37 CFR 1.8 on July 31, 2006. (Please note the hp LaserJet 303 "Fax Call Report" and USPTO Auto-Reply Receipt showing successful transmission and receipt of all pages).

To reiterate, since all acts required of Applicant(s) to accomplish a timely response to the Notification letter mailed on July 6, 2006, the holding of abandonment was in error, and Applicant(s) hereby petition for its withdrawal.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 50-4019.

Date: June 17, 2011

Respectfully submitted,

By /Peter Zawilski/

Peter Zawilski, Reg. No. 43,305

NXP, B.V.

Intellectual Property & Licensing 1109 McKay Drive, M/S-41 San Jose, California 95131

(408) 474-9063

Enclosures:	\boxtimes	Copy of Decision on Petition Under 37 CFR 1.181 of March 16, 2011
	\boxtimes	Statement of Fact of Ms. Vilimaina Naga dated June 16, 2011
	\boxtimes	Copy of Notification of Abandonment
	\boxtimes	Copy of Response to Notice of Missing Requirements, as filed
		Copy of Auto-Reply Facsimile Transmission (of Successful Receipt)
		Copy of HP Fax Call Report of Successful Transmission
		Authorization to charge fees to deposit account 50-4019.



COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE P.O Box 1450 ALEXANDRIA, VA 22313-1450 www.uspto.gov

PHILIPS ELECTRONICS NORTH Intellectual Property & Standards P.O. Box 3001 Briarcliff Manor, NY 10510-8001

MAILED

MAR 16 2011

In re Application of GROVER, Raymond

DECISION ON

PETITION UNDER

PCT LEGAL ADMINISTRATION

Application No.: 10/561,531

PCT No.: PCT/IB2004/001779 Int. Filing Date: 21 May 2004

Priority Date: 31 May 2003 Attorney's Docket No.: GB030081US1

For: SEMICONDUCTOR DEVICE HAVING...

OF MANUFACTURE THEREOF

37 CFR 1.181

This Decision is in response to applicant's "PETITION TO WITHDRAW ABANDONMENT UNDER MPEP SECTION 711.03(c)" filed on 04 December 2007, which is being treating as a petition under 37 CFR 1.181 requesting that the above-identified application's declaration was timely filed on July 31, 2006 by facsimile.

BACKGROUND

In a decision from this Office on 19 May 2006, the petition to revive was granted.

On 06 July 2006, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that the oath or declaration complying with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date." To avoid abandonment, the above items must be furnished within the time period set forth. The notification set a two months time limit or 32 months from the priority date for the application, whichever is later to respond.

On 30 November 2007, the United States Patent and Trademark Office mailed the Notification of Abandonment (PCT/DO/EO/909) since the applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/06/2009 within the time period set therein.

On 04 December 2007, petitioner submitted the instant petition stating that the declaration was allegedly timely filed by facsimile on 31 July 2006.

DISCUSSION

A petition under 37 CFR 1.181 filed under 37 CFR 1.8(b) Certificated of mailing or transmission must be accompanied by:

- (b) In the event that correspondence is considered timely filed by being mailed or transmitted in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding is dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:
- (1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;
- (2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate; and
- (3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Director to the previous timely mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

Applicants have satisfied items (1), and (3) but not item (2) under 37 CFR 1.8(b).

With regard to item (1) above, the present petition was promptly filed.

With regard to item (2) above, the present petition includes a copy of the previously transmitted correspondence and certificate of transmission.

With regard to item (3) above, section 512 of the MPEP states the following: "If the person signing the statement did not sign the certificate of mailing, then the person signing the statement should explain how they have firsthand knowledge of the previous timely mailing or transmission." The present petition, which is signed by Peter Zawilski, states that the response was timely transmitted by facsimile. However, Mr. Zawilski is not the person who executed the Certificate of Transmission for the 31 July 2006 transmission, and he does not state "how he has firsthand knowledge of the previous mailing or transmission," as required by the MPEP (the petition does not include a confirming statement from Vihmana Naga, the person who signed the Certificate of Transmission).

Based on the above, the present submission does not satisfy the requirement of 37 CFR 1.8(b)(3). Accordingly, on the present record it cannot be concluded that the declaration was included with the present petition were originally filed by facsimile on 31 July 2006 as a timely response to the Notification Of Missing Requirements.

CONCLUSION

For the reasons discussed above, applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181 and 1.8(b) is DISMISSED without prejudice.

Application No.: 10/561,531

The application remains ABANDONED.

Any request for reconsideration must be filed within TWO (2) MONTHS of the mail date of the present decision and must include the materials required to satisfy 37 CFR 1.8(b)(3), as discussed above and in the MPEP. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181".

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Rafael Bacares
PCT Legal Examiner

PCT Legal Office Telephone: (571) 272-3276

Facsimile: (571) 273-0459

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

First-Named Inventor: Raymond, Grover

Application No.: 10/561,531 Conf.: 9882

Date Filed: May 21, 2004 (Int'l FD)

Customer No. 65913

Examiner: To be determined

Title: SEMICONDUCTOR DEVICE HAVING AN EDGE TERMINATION STRUCTURE AND METHOD OF MANUFACTURE THEREOF

Mail Stop Missing Parts Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT OF FACT

Sir:

This is to certify that I faxed the response to Missing Notification of Missing Requirements under 35 U.S.C. 371 on July 31, 2006 for the above mentioned application, and the fax was acknowledged in Auto-Reply Facsimile Transmission from the USPTO. I faxed the following documents total of 6 pages:

- · Facsimile Transmittal to the United States Patent and Trademark Office,
- · Response to Notification of Missing Requirements,
- · Executed Oath and Declaration; and
- · a copy of the USPTO Notification of Missing Requirements.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: June 16, 2011 By: Vilimaina Naga

Vilimaina Ñaţ IP Assistant

Correspondence Address:

NXP, Semiconductors IP&L Dept. 1109 McKay Drive; M/S-41SJ San Jose, CA 95131 USA

CUSTOMER NO. 65913



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMESSIONER FOR PATENTS BC Box 120 Addression Spring 2010-1490

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY, DOCKET NO.

Raymond Grover

65913 NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE

10/561.531

GB03 0081 US1

INTERNATIONAL APPLICATION NO.
POTV/IB04/01779

LA-FILING DATE PRIORITY DATE

05/21/2004 05/31/2003

CONFIRMATION NO. 9882
371 ABANDONMENT/TERMINATION

Date Mailed: 11/30/2007

SAN JOSE, CA 95131

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

 Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/06/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222



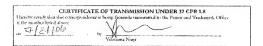
Philips Intellectual Property & Standards

FACSIMILE TRANSMITTAL TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

To:	FACSIMILE NO.:	TELEPHONE No.:
Mail Stop Amendment Commissioner for Patents F.C. Box 1450 Arlington, VA 22313-1450	(571) 273-3201	() .
ATTENTION:	Examiner:	

FROM:		TELEPHONE No.:
Michae	I. Urc, Reg. No. 13,089	(408) 474 - 9077
RE:	Serial No.:	10/561,531
	Attorney Docket No.:	GB030081US1

TRANSMISSION INCLUDES:	6 Pages (including cover sheet)
Response to Norification of Missing Requirements - 1 page	
Executed Oath and Declaration - 2 pages	
Copy of USPTO Notification of Missing Requirements - 2 pages	





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: SEMICONDUCTOR DEVICE HAVING AN EDGE TERMINATION STRUCTURE AND METHOD OF MANUFACTURE THEREOF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE DOZEO/US

Sir

	In response to the Notification of Missing Requirements dated 7/6/2006, please note the
folio	wing remarks. Applicant is currently presenting for the above-captioned application:
\boxtimes	an executed Declaration and Power of Attorney. a copy of the USPTO Notification of Missing Requirements. authorization to charge any fees due at this time to deposit account no. 14-1270, other:

Applicant believes that the concerns raised by the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US have been addressed. Therefore, Applicant respectfully requests that a patent issue without further delay.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted, CERTIFICATE OF TRANSMISSION Ву I hereby certify that they correspondence is being the south transmitted to the LESPICO at Michael J. Ure, Reg. No. 33,089 on the date indicated below (408) 474-9077 (Date) Philips Electronics North America Corp. Intellectual Property & Standards (Signature) 1109 McKay Drive, MS 41-SJ (Nimme) Vilinama Nana San Jose, California 95131

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COMBINED DECLARATION (includes Refrience to PCT Inter	ON FOR PATENT APPLICATION (restronal Applications)	AND POWER OF ATTORNEY	ATTORNEY'S DOCKET NUMBER PHGB030081 US
As a below named invento	or, I hereby declare that:		
My residerice, post office a	address and citizenship are as stat	ed next to my name.	
plural names are listed be entitled: SEMICONDUCT	first and sole inventor (if only one low) of the subject matter which is FOR DEVICE HAVING AN EDOREOF, the specification of which (ctaimed and for which a patent i SE TERMINATION STRUCT	is sought on the invention
is attached hereto.			
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Number 21 May 200-	4	····	
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I hereby state that I have r claims, as amonded by an	reviewed and understand the conte ty amendment reterred to above.	ents of the above-identified spec	ification, including the
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BOIOD EODEIGHIDAT A	PPLICATION(S) AND ANY PRIOR	ITY CLAIMS UNDER 35 U.S.C.	110
COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY
		DAY, MONTH, YEAR	CLAIMED UNDER 35 USC 119
GB	0312512.7	31 May 2003	YES

U.S. DEPARTMENT OF COMMERCE -Patent and Trademarks Office (July 1994)

page 7 of ?

31 May 2003

GB

Attorneys Decket Number Combined Declaration For Patent Application and Power of Attorney (Continued) (includes Retarance to PCT International Applications) PHGB030081 US POWER OF ATTORNEY: As a named inventor, I hereby appoint the following afformey(s) and/or agent(s) to prosecute this application and transact at business in the Patent and Trademark Office connected therewith. (List name and registration number)

Jack E. Haken, Reg. No. 26,902 Michael E. Marion, Reg. 32,266

Direct Telephone Calis to: (name and telephone number) (914)332-0222

NAME	GROVER	FIRST CIVEN NAME Raymond	SECOND GIVEN NAME J.
IDENCE	MANCHESTER	STATE OR POREIGN COUNTRY Great Britain	Great Britain
	30 Beifield Road,	MANCHESTER	M20 6BH, England
	ENTOR IDENCE ZENSHIP IT OFFICE	GROVER IDENCE GITY MANCHESTER TOFFICE POST OFFICE ADDRESS	ROVER Raymond ROVER RAYMOND GROVER RAYMOND STATE OR FOREIGN COUNTRY MANCHESTER Great Britain FORFICE FREES OB Belfield Road, MANCHESTER MANCHESTER MANCHESTER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief Training processes was an execution among them in your natural with this knowledge that willful false statements and the like so made are purishable by time or imprisonment, or both, under section 1001 if Talo 18 of the United states Code, and that such willful false statements may jeopprofize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

U.S. DEPARTMENT OF COMMERCE-Palent and Trademarks Office (July 1994)



24738

US. APPLICATION NUMBER NO.

10/561.531

INTELLECTUAL PROPERTY & STANDARDS

UNITED STATES PATENT AND TRADEMARK OFFICE

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FIRST NAMED APPLICANT ATTY, DOCKET NO. Raymond Grover

GB03 0081 US1 INTERNATIONAL APPLICATION NO.

PCT/IB04/01779 LA. FILING DATE PRIORITY DATE 05/21/2004 05/31/2003

CONFIRMATION NO. 9882 371 FORMALITIES LETTER

OC000000019489279

1109 MCKAY DRIVE, M/S-41SJ SAN JOSE, CA 95131 DUE (SENT) 6/06

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION

Date Mailed: 07/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/19/2005
- Copy of the International Search Report filed on 12/19/2005
- Pretiminary Amendments filed on 12/19/2005
- Information Disclosure Statements filed on 12/19/2005
- U.S. Basic National Fees filed on 12/19/2005
- Priority Documents filed on 12/19/2005
- Specification filed on 12/19/2005
- Claims filed on 12/19/2005
- Drawings filed on 12/19/2005

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filling fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity;

\$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER, FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDOMMENT.

The time period set above may be extended by filling a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

3 S. APPLICATION NUMBER NO	INFERNATIONAL APPLICATION NO.	ATTY, DOCKET NO
10/561.531	PCT/IB04/01779	GB03 0081 US1

FORM PCT/DO/E0/905 (371 Formalities Notice)

USPTO 7/31/2006 1:34 PM PAGE 1/001 Fax Serve :Auto-reply fax to 408 474 9081 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 408 474 9081

Fax Information Date Received: Total Pages:

7/31/2006 1:30:45 PM [Eastern Daylight Time] 6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was interface to be sent. Applicants are advised to tain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the cutflicate of facsimile transmission procedures set furth in 37 CFR 1 8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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